

CHURCH AND STATE

A MONTHLY REVIEW



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Educational Bills May Set Dangerous Precedents

Leaders of POAU are anxiously watching the discussion in Congress of a large number of federal-aid-to-education bills which embody both good and bad features in respect to the separation of church and state. At this relatively early stage of the congressional session the legislative kaleidoscope is changing so rapidly that POAU's executive committee cannot yet make a positive recommendation concerning any bill. Probably such a recommendation will be announced about the time this issue of the Review reaches our readers, preferably in Congressional hearings by Executive Director Glenn Archer.

Meanwhile, there is no certainty on Capitol Hill that any educational bill will survive the partisan struggle. Last year's defeat of the school building program has created bitterness. Partisan feeling on the President's program runs high.

Pro and Con

Several reassuring features exist in the three bills which figure most prominently in congressional discussions, the Administration bill, the Hill-Elliott bill, and the Metcalf bill, which has been endorsed by the National Education Association. None of these bills proposes in unequivocal language to give any *direct* appropriations to sectarian schools at the elementary or high school level. None of these bills provides any federal money for bus funds or textbooks for parochial schools.

The mere statement of these two facts is an indication of the effectiveness of the ten-year campaign waged by POAU and other organizations against the demands of the Catholic hierarchy for federal aid. No Catholic leaders on Capitol Hill have ventured to embody in legislative form the January 4th demand of 28 Jesuit college presidents for "an across-

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Senator John Kennedy Pleads 'Sixth Amendment'

Senator John F. Kennedy of Massachusetts, leading Roman Catholic candidate for the presidency, has brushed aside POAU's three questions for Catholic candidates as "somewhat insulting" and has taken refuge in what he refers to as "the sixth Amendment." His reference is evidently not to the Sixth Amendment but to the Sixth Article of the Constitution which declares that "no religious test shall ever be required as a qualification to any office or public trust in the U. S."



Senator John Kennedy

A written comment signed by Senator Kennedy has been sent out to a number of inquirers who requested a definite answer to POAU's famous questions concerning the Roman Catholic boycott of public schools, the Roman Catholic demand for public money for parochial schools, and the advocacy of a Vatican ambassador. Senator Kennedy's comment—apparently a uniform reply sent to many inquirers—reads as follows:

"Aside from being somewhat insulting to the many legislators and other public officials who have served their country faithfully and in accordance with the Constitution, I think that the mere presentation of a list of questions such as you have suggested betrays a dangerous tendency which is not consistent with the spirit of our Constitutional principles. I refer specifically, of course, to

the Sixth Amendment (see ed. note above) which forbids the promulgation of a religious test for holding public office." The doughty Massachusetts Democrat did not choose to answer specifically any of the three questions proposed by POAU, although he has made a number of general declarations which indicate loyalty to the U. S. Constitution rather than loyalty to papal commands.

Misses the Point

Senator Kennedy's comment on Article 6 of the Constitution, of course, does not apply in any way to the three questions for Roman Catholic candidates suggested by POAU. The constitutional article applies to the right of an American citizen to serve as an officeholder. POAU has always opposed any such religious test for public office, and is in complete agreement with Senator Kennedy in opposition to such a test.

The three questions suggested for Roman Catholic candidates by the leaders of POAU on January 5 were simply designed to disclose to the voters the attitudes of Catholic candidates concerning certain anti-democratic policies of the Catholic hierarchy.

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QUOTE OF THE MONTH

"Since there is no superior with whom appeal can be lodged when the [Roman Catholic] Church and State become involved in controversy as to their relative competence, the decision is to be made by the Church."
"The Judicial Power of the Church,"
by Father John R. Bourque, p. 16,
Canon Law Studies 337, Catholic University of America, 1953.)

• Editorial •

Divide and Conquer

The leadership of the Roman Catholic Church is never lacking in adroitness. Its skill in pitting Protestant against Protestant has long been recognized. In recent months, however, it has added new and brilliant chapters to its legend of getting others to do its hatchet work. Most discouraging, from a standpoint of religious freedom, is the willingness of some sincere but misguided Protestants to be used by the Roman Church for its own purposes.

The Connecticut Council of Churches offers a classic example of a Protestant organization being used by the Roman Catholic Church for denominational ends. Last spring the Roman hierarchy in Connecticut carried on a ruthless pressure campaign to achieve financial favors from the state treasury. Eventually the legislature was bludgeoned into passing Archbishop O'Brien's bus bill by one vote. The opposition, headed by the Protestant Committee on Civil Rights and Moral Affairs of the State Council of Churches with Dr. Loyd Worley as chairman, did its best but was defeated by a permissive bus bill.

Need Unmet

A state-wide program of massive resistance was imperatively needed at the grass roots to block the bus appropriation measures in each local Connecticut community. The alternative was that one community after another, under strong pressure, would commence this form of subsidy to Catholic schools. Nobody was doing the preventive job, and there was no prospect of any Connecticut organization's undertaking it.

At that juncture POAU was invited into the state. Paul Blanshard spoke to almost a thousand persons in Hartford, assembled from communities throughout the state.

Before the meeting could take place, however, the hierarchy went into action. A "letter of inquiry" from the editor of *The Catholic Transcript* was sent to Dr. Russell H. Stafford, president of the Connecticut Council of Churches. Perhaps Dr. Stafford did not know that *The Catholic Transcript* is one of the most bitterly partisan organs in the United States, and that its editor, the Right Reverend Monsignor John S. Kennedy, has been almost a professional critic of Mr. Blanshard, having produced abusive and irrational articles about him in the Catholic press. The letter from

The Catholic Transcript was, in effect, a call to the Connecticut Council of Churches to repudiate POAU.

Probably the hierarchy had little notion that the ruse would work, but to its unbounded delight the leaders of the Connecticut Council of Churches went for the bait. Dr. Harold B. Keir, executive secretary of the Council, rushed into print with a statement which piously absolved his group of any connection with the POAU meeting and distinctly implied disapproval of its program. Dr. Stafford was not to be outdone. He sent a letter to *The Catholic Transcript* which contained disparaging comments about Paul Blanshard, POAU's Special Counsel, without citing any evidence for his disparaging views.

Protestant Leaders Support POAU

Roman Catholic leaders in Hartford immediately published exaggerated statements to the effect that the Connecticut Council of Churches had "repudiated" POAU. Actually the Connecticut Council of Churches had never authorized anyone to "repudiate" POAU; nor has any other church council in America, so far as we know, openly "repudiated" this organization. Our relations with church councils in all parts of the country have been cordial and cooperative.

Many of the state's most important Protestant leaders immediately condemned the statements of Dr. Keir and Dr. Stafford. Dr. Loyd Worley resigned in protest as head of the Committee on Civil Rights and Moral Affairs. Dr. Jack Grenfell, minister of the large South Park Methodist Church of Hartford, acting also in protest, resigned his position as chairman of the Council's Committee on Evangelism, declaring that "a very serious breach of principle and organizational function has been committed," and adding, "I believe a rank injustice has been done to those who differ with the new president. I for one cannot find it possible to be drawn into a narrow, one-sided fellowship that tolerates no intellectual inquiry, or expression of opinion, nor any demonstrations of convictions."

Dr. Stafford was rebuked by the Board of Managers of the Connecticut Baptist Convention at a meeting on January 17, and when the board of directors of the Connecticut Council met on January 28th, both Dr. Stafford and Dr. Keir were submitted to a severe "dressing down." But all of these internal actions did not erase

the partisan, adverse publicity which the Connecticut Catholic hierarchy had succeeded in inserting in its own newspapers and in some regular dailies.

Will the Catholic hierarchy succeed in dividing American Protestantism by using a few Protestant leaders who are willing to be duped? We believe that the answer is No. Our leaders are returning to Connecticut with full confidence that our point of view is essentially the point of view of American Protestants of all branches who believe in the American heritage.

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Vermont Suit Crucial

One of the most important legal cases in church-state law in recent years will come to the Vermont Supreme Court in the near future through the efforts of a South Burlington taxpayer, C. Raymond Swart, who has challenged the constitutionality of town grants of tuition to Roman Catholic high schools. Swart's attorney is F. Ray Keyser, Jr. of Chelsea, chairman of the Judiciary Committee of the Vermont Assembly and partner of Vermont's former governor, Stanley C. Wilson.

For many years Vermont has permitted students who reside in townships without a high school to attend sectarian high schools in neighboring townships and collect the tuition costs from local taxpayers. The state's portion of such tax payments has already been outlawed by the Ver-

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Church and State

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CHURCH AND STATE

NEWS From Far and Near

◆ In Austria, predominantly Roman Catholic, but governed by a coalition of the Catholic and Socialist Parties, negotiations are in progress with the Vatican for revision of the Concordat that took effect in 1934. The government considers that it has been nominally in effect, even throughout the Hitler regime and the Allied Occupation. It has been violated, however, by provision for civil marriage and divorce, and refusal of the government to provide full support for Roman Catholic schools.

◆ The Southern Baptist Press Association, meeting at Glorieta, New Mexico, urged the State Department to "continue and accelerate its efforts" to secure "fundamental religious freedom" in Spain, Colombia, and other countries where "our Baptist people continue to be persecuted." The Association says that "Some of our churches have been closed by government order; some of our people have been arrested because they exercised their freedom under God."

◆ 400 Southern Baptists have protested the designation of March 23 as "Knights of Columbus Day" by Texas Governor Price Daniel. The Baptists representing 375 Gulf Coast churches informed Governor Daniel, himself a Baptist, that "Baptists have always stood for complete separation of Church and State."

◆ The House Ways & Means Committee has approved a bill to allow duty-free importation of religious works of art by churches and religious orders. The legislation, sponsored by Rep. Eugene J. McCarthy (D. Minn.), would allow altars, pulpits, Communion tables, baptismal fonts, shrines, and statuary to be imported without duty.

◆ According to the *Atlantic Monthly*, Poland, after last year's "arrangement" between the Communist-dominated government and the Vatican, which was "the biggest concession a socialist state ever made to the clergy," is again coming under the domination of the Roman Catholic Church. "In small communities, those who fail to attend church are spurned." Catholic religious teaching has been re-introduced into public schools.

◆ In January Italy became the last major country in Europe to outlaw licensed prostitution. Although the Vatican had condemned the business, the final credit for the moral victory belonged not so much to the Christian Democratic party as to a left-wing Socialist, Senator Angelina Merlin, a 70-year-old former teacher. Italy's brothels had been reduced from 770 during the Holy Year to 560 in 1957.

Kennedy

(Continued from page 1)

archy. POAU pointed out expressly that it did not favor any blanket boycott of Catholic candidates, and the organization has never suggested that any Catholic, Protestant or Jew should be excluded from office in the United States merely because of religious affiliation.

In this connection POAU said, "The people are entitled to know where every candidate for the presidency stands in respect to such issues regardless of his religious faith. Public opinion should compel every candidate of every faith and every party to answer every pertinent question in this field with complete candor."

Although Senator Kennedy, while serving as a member of the House,

avored federal grants for bus transportation for parochial schools, he has never publicly championed more extensive financial aid for such schools. Since the question of a Vatican ambassador has never come to a vote during his period of service in Congress, his stand on this question is not a matter of record. He has not yet publicly expressed any opinion one way or another concerning his church's boycott of public schools, contained in Canon 1374 of Catholic canon law.

Kennedy Comments

In a letter to Rev. Charles R. Murray of Berkeley, California, retired Presbyterian clergyman, Senator Kennedy said on January 13: "While I understand that there are many in this country who for one reason or another have reservations about the

desirability of placing Catholics in important political offices, I do not believe that these reservations are warranted. As I have said publicly on a number of occasions, I can without any reservation whatever say that I perceive no situation where a conflict would arise between my personal beliefs and a proper execution of my public responsibility under our Constitution. I believe that it is absolutely essential in this connection to recognize that the authority of the Catholic Church does not extend into the sphere of secular affairs. Therefore, as a public official, I act according to my own conscience and on the basis of my own judgment without reference to any other authority. As a public official I have no obligation to any private institution, religious or otherwise. My obligation is to the good of all."

"Viewpoints Change"

"Other than to restore these principles which have and will continue to guide me in my public life, there is little else that I can say except to point out, that what was common or acceptable in another century is uncommon today. What may be true of one country need not be true of another. The viewpoints of men who lived in other times most often are not valid under different historical circumstances. We live in a liberal, democratic society which embraces wide varieties of belief and disbelief. There is no doubt in my mind that the pluralistic society which has developed under our Constitution, providing as it does a framework within which diverse opinions can exist side by side and by their interaction enrich the whole, is the most ideal system yet devised by men. I cannot conceive of a set of circumstances which would lead me to a different conclusion."

Rev. Charles R. Murray in requesting Senator Kennedy to state his position on Roman Catholic policies reminded him that the Pope had given a directive to American Catholic judges indicating that in any case of a conflict of interest between the state and the Roman Catholic church, a Catholic judge is under moral obligation as a Catholic to rule in the church's favor. Senator Kennedy did not answer this portion of Mr. Murray's letter.

◆

Parochial schools are costing more: In 1943 one out of 10 parochial school teachers was a salaried lay person; today the ratio is one out of four.

Philippine Phoenix

More than a year ago, we reported how the bill sponsored by John W. McCormack of Massachusetts was "sneaked thru" the United States Senate, providing for payment of Philippine church claims based on alleged war losses. The claims of all the American churches had already been paid. But McCormack's bill would pay also the claims of those controlled from foreign countries, even from enemy nations.

In opposing public taxes for a church POAU was joined by the National Association of Evangelicals and the National Council of Churches of Christ in America. The bill purported to treat all religions alike but opponents predicted that the lion's share of payments would go to Roman Catholic institutions controlled from Rome.

These predictions have now been borne out by the facts. The Foreign Claims Settlement Commission has made final awards and issued a list of beneficiaries. It sounds like the *Annuario Pontificio*. The Roman Catholic Archbishop of Manila receives \$1,245,323.30; The sisters of St. Paul de Chartres, \$1,250,263.23; Congregación de Religiosas Dominicanas de Sant Caterina de Sena, \$622,780.75; Hospital de San Juan de Dios, \$931,921.12; the Congregation of the Religious of the Virgin Mary, \$684,646.03; etc. Scores of other Roman Catholic institutions received varying amounts. The total was \$8,386,475.52.

Methodists Are Cut

The Philippines Annual Conference of the Methodist Church filed a claim for \$537,753.80 but was awarded only \$200,000. Scores of Protestant claims were rejected.

But out of the resentment against this subsidy of foreign-controlled religious groups, an active movement of opposition may arise, not in Washington, not in New York, but where it is most needed, in the Philippines themselves. Some of the officers of POAU have corresponded with leaders there. And early this year we were honored by a personal visit to our offices by Bishop Enrique Sobrepeña of the United Church of Christ of the Philippines.

According to an article in *The Christian Century* written by Cornelio M. Ferrer of Manila, P. I., the bishop returned home with a firm purpose to reactivate the Faith and

Freedom Crusade on a permanent basis. This organization will uphold belief in the living God and the freedom of man in a free society.

While the Roman Catholic church is firmly established in most lands of Hispanic culture, there is also very common amongst people of this background a spirit of brave resistance to ecclesiastical tyranny. Out of the Bishop's plans there may well arise an extremely active opposition to efforts, by public subsidies and otherwise, to impose a particular religious faith on the citizens of the islands. Like the Phoenix of Arab fable, this movement may arise from the ashes of defeat and soar to new heights of achievement.

The Christian Century reports that the Crusade will seek fellowship and affiliation with POAU.

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Education Bills

(Continued from page 1)

the-board share" in federal grants for Catholic institutions.

The Metcalf bill (HR 10763) embodying the program of the National Education Association is least objectionable of the bills. It does not attempt to by-pass state laws. It would, however, permit use of some Federal money for parochial schools in states where such expenditures have been legalized.

However, the Administration bill and the Hill-Elliott bill are causing some anxiety among advocates of church-state separation. The Administration bill, calling for appropriations of about 145 million for the first year, would grant some indirect aid to sectarian institutions at the college level, and it would use public money for covering the costs of testing students in both sectarian and public schools. In states which now prohibit the use of public funds for any activity in a sectarian school, the bill would allow the United States Office of Education to pay for this testing directly. The approval of this process of by-passing state laws on church-state separation might set a precedent in this field.

White House Plan

Under the President's plan, college scholarships are to be granted to capable high school graduates, chiefly in the field of science, and they would be permitted to use these scholarship grants in the sectarian or public colleges of their choice. Govern-

ment funds could also be used for direct payment to sectarian colleges for equipment, and faculty salaries at the graduate level. The Hill-Elliott bill, involving an expenditure of approximately 3 billion dollars over a six year period, also has a number of church-state loopholes which would confer some indirect benefits upon sectarian institutions at the college level. Under this bill students could elect a sectarian college, after being granted a scholarship, and sectarian institutions could also receive considerable financial help at the college level for science teaching facilities.

Danger Ahead

Many Catholic leaders are supporting the principles of the Administration bill and the Hill-Elliott bill in the hope that the small concessions to sectarian higher education may be used as a precedent for complete grants to cover the cost of parochial education in the lower schools. POAU leaders do not believe there has been any deliberate effort to break down the current policy of church-state separation, but they see many dangers in the situation, particularly in those states where Roman Catholic political machines dominate the state educational agencies. Under both the Administration bill and the Hill-Elliott bill almost complete power over the machinery of scholarship grants is given to the educational agency of each state.

"Unfair to Winner"

Advocates of the Administration bill and the Hill-Elliott bill declare that it would be unfair to scholarship winners to limit their choice of a college to any particular type of institution. And, once the "right of choice" has been established, it would be difficult to deny aid to such an institution for scientific equipment.

One of the most difficult problems involved in the present discussion is to define the term "sectarian college" in such a way that it can be legally distinguished from a non-sectarian institution. If the exclusion of sectarian colleges from federal grants should be adopted as a policy, all Roman Catholic colleges would be excluded because of their complete subordination to ecclesiastical control. But the status of many so-called Protestant colleges would be extremely difficult to determine. Many of the most important "Protestant" colleges in America have only a courtesy connection with their denominations.

Fordham Wins Round on Lincoln Square Subsidy

The Appellate Court of New York in a decision handed down Feb. 20 unanimously upheld the right of New York City to acquire by condemnation and re-sell at a give-away price a valuable mid-Manhattan site to provide a campus for Fordham University, a Jesuit institution. The court did not prepare a written opinion. It concurred in the original decision by Justice Owen McGovern of the State Supreme Court.

Harris L. Present, attorney for the plaintiffs, immediately announced he would take the case to the State Court of Appeals. Mr. Present had meanwhile undertaken a new tack against the condemnation and re-sale proceedings. On Feb. 19 he filed a motion in Federal court alleging a violation of the Federal constitutional guarantee of the separation of church and state. The suit asked for permanent injunction against the re-development project. The permanent injunction was denied by the court following a hearing on Feb. 25. The New York Court of Appeals has set March 24 as the date for the argument on the church-state issue and ruled, also, that if the developers took steps to dislocate any of the tenants before the question was settled, the appellants might renew their motion for a temporary stay.

Two-Thirds Subsidy

The Lincoln Square re-development program was carried out under Title I of the Federal Housing Law. This legal title permits municipalities to acquire certain areas and to re-sell them at a loss to private or institutional developers. The Federal Government makes good two-thirds of the loss and the city one-third.

Opponents of the Lincoln Square project have contended that its major aim from the first was to provide a central campus on publicly acquired real estate in mid-Manhattan for Fordham, a Jesuit university. A two block area acquired for about \$16 a square foot is to be re-sold to Fordham for \$7 a square foot. The difference, it is contended, represents a government subsidy to Fordham.

POAU is planning to file an amicus curiae brief on the side of the plaintiff when and if the case reaches the Supreme Court of the U. S.

Groups of Nuns Told Not to See Programs on TV

THE REGISTER

Vatican City.—Religious communities of women should not watch television programs for recreation, but may use television as an educational tool in the classroom. This was declared by Monsignor Fran-

The above headline, taken from America's chief diocesan newspaper, "The Register," of February 16, 1958 constitutes dramatic evidence of the system of cultural control imposed upon all Catholic nuns even when they are teachers in American public schools. The rule that religious communities of women should not watch television programs for recreation has been issued in a statement by Msgr. Francesco Tinello of the Sacred Congregation of Seminaries and Universities.

Parochial Schools May Lose California Tax Exemption

One of the hottest political battles of the century is shaping up in California and will come to a climax in November when the voters will act on a constitutional amendment that would repeal the present blanket tax exemption for parochial schools. The exemption was approved in 1952 by the narrow margin of 77,000 in more than 8 million votes. Veteran prognosticators say the issue could swing either way by November.

Californians for Public Schools, an organization of citizens there, succeeded in collecting more than 350,000 bona fide signatures to the petitions which forced the referendum. The re-run of the issue was urged by many who contended that the issue had not been fairly represented in the language placed on the ballot in the 1952 referendum. There were also charges that the nature of the exemption granted in the 1952 act lacked proper limitations and safeguards. Both Senator William F. Knowland, Republican candidate for governor and attorney general Edmund G. (Pat) Brown, his opponent in the fall election, have come out for retaining the exemption.

The matter is not a direct Protestant-Catholic issue. Adventists and Episcopalians who also operate sectarian elementary and high schools in California, have made common cause with Roman Catholics to defeat re-

peal of the exemption. In an indignant denial that "bigotry" was involved in the campaign, Howard Freeman said: "Californians for Public Schools feel very strongly that a Lutheran, Catholic, Seventh-Day Adventist or other family has every right to send its children to a private school provided it pays for it."

Proponents of the repeal have argued that the exemption as it now stands would commit California to the subsidization of Roman Catholic parochial schools, particularly, and other sectarian schools, incidentally, thus breaching the wall of separation between church and state.

There have been some unfortunate incidents arising from the struggle. In at least one local election a Roman Catholic priest had photostatic copies made of a signature of a certain candidate as it appeared on the petition. He distributed this "exhibit" among his parishioners and urged them to vote against this candidate as an "enemy of the church." The tactic was resented by local citizens who voted the man in by more than two to one.

Another of these unfortunate incidents involved Bishop A. J. Willinger, head of the Roman Catholic Diocese of Monterey-Fresno and Harold Anderson, vice president of the Pacific Gas and Electric Co. When Bishop Willinger learned that Mr. Anderson's name was on the petition, he threatened his company with socialization by the state of California.

Tenth National Conference Makes History in Atlanta

The Tenth National Conference on Church and State sponsored by POAU attracted delegates from twenty-three states and a large outpouring of Atlantans to the sessions held in the First Baptist Church of that city Feb. 10 and 11. Dr. Roy O. McClain, the pastor, was indefatigable in his courtesies to visiting delegates. The large evening meetings addressed by Bishop Ivan Lee Holt of St. Louis and Glenn L. Archer, executive director of POAU, on Monday, and by Paul Blanshard and associate director C. Stanley Lowell, on Tuesday, evoked strong pronouncements in the area of Church-State relations. A life-long friend of the public schools, Bishop Holt extolled them as "an example of democracy at work." He warned that support of the schools of any religious denomination from the public treasury is "a step toward the control of the State by the Church. Surely such fear is justified," he added, "when one turns to some countries where the Roman Catholic Church is the majority church." The bishop cited specifically Colombia, Peru, Spain and Portuguese East Africa.

In a fifteen-minute staccato summation Mr. Archer described more than a score of legal battles in which POAU had been concerned to hold the line for Church-State separation.

Of wide interest to the conference visitors were three "clinics" on va-

rious phases of Church-State problems. These dealt with "New Frontiers in the Legal Area," "Religion in the Public Schools" and "Action at the Grass Roots."

Dr. J. R. McCain, president emeritus of Agnes Scott College, served as general chairman of the two-day sessions. Dr. M. D. Collins, emeritus superintendent of the state's public schools, served on the schools panel. In an address at this session Dr. C. Emanuel Carlson said: "Clergymen, in considerable numbers, are saying that the public schools must teach religion to save our way of life. Each seems to be quite unaware that his suggestion is the surest way to reduce the influence of the churches and the vitality of faith and remove us from our free tradition. Nation after nation has demonstrated that compulsory religious instruction carried on by uncommitted teachers is the most effective inoculation against vital religious experience."

About 400 persons heard Dr. W. Earl Hotalen of Baton Rouge, La., outline a program of POAU action at the "grass roots" which it is hoped may be followed in many states during the coming years.

A pageant, "The Forward March of Freedom," written and directed by John C. Mayne was presented at the anniversary banquet. Members of the cast were chosen from the adult department of First Baptist Church, Decatur.

More than 350 Scottish Rite Masons crowded the dining room of the

First Baptist Church for a luncheon to hear Sovereign Grand Commander Luther A. Smith of Washington, D. C. discuss "POAU After Ten Years."

Many testimonials as to the high level of the conference program have been received at POAU headquarters. "The best ever," was the comment of Dr. Louie D. Newton, president of POAU, who as pastor of the great Druid Hills Baptist Church, Atlanta, contributed much to the final success.

Vermont Suit

(Continued from page 2)

mont Supreme Court, and the action of C. Raymond Swart is challenging the distribution of the local, village and town funds for this purpose.

The importance of the suit is based partly upon the fact that the sole issue is the legality of using tax funds for such a purpose under the United States Constitution. The Constitution of Vermont is brought into the complaint, but its language concerning the separation of church and state is not very specific.

For Catholic High Schools

The plaintiff, if successful, will prevent the payment of a considerable amount of local revenue to some of the largest Roman Catholic high schools in Vermont, especially in cities having "satellite" townships surrounding them, such as Burlington, Rutland, Brattleboro, and Montpelier. The immediate effect of a victory in the suit would be to deny South Burlington funds to the large Cathedral High School of Burlington.

The complaint points out that the teachers in Roman Catholic high schools are "subservient to the religious orders which they serve" and that in these high schools the rules require that "each student therein take and pass four years of religion before they can graduate . . . which said course teaches one particular religious philosophy to the exclusion of all others." The suit also charges that the educational funds of the Cathedral High School in Burlington are "co-mingled with ecclesiastical or parish funds." The plaintiff asks for an injunction stopping the practice of paying public funds for such a purpose. The action applies only to those townships which have no high schools of their own. The grants of tuition to students at Catholic high schools are not awards for merit or national service, and for this reason they are not based upon the precedents of the G.I. educational bills.



POAU officials Glenn Archer (left) and C. E. Carlson (center) greeted at National Conference by The Rev. Harrison McMains of Atlanta.

Italian Bishop's Right To Defame Woman Denied

Bishop Pietro Fiordelli of Prato, Italy, who had written a letter stating that the wife of Mauro Bellandi was "a harlot and a concubine," was found guilty of defamation of character, fined 40,000 lire and ordered to pay court costs of 420,000 lire plus an as yet undesignated amount in damages to Signor Bellandi. The verdict was handed down by a court in Florence on March 1.

Canon vs. Civil Law

The trouble arose when the Bellandis, both baptized Catholics, insisted on having a civil marriage ceremony. The Roman Catholic Church in Italy, as in the United States, claims sole jurisdiction over marriage so far as its members are concerned. Signor Bellandi, a skeptic, wanted no part of a church marriage service and had the civil ceremony only, a procedure quite proper under Italian law.

The irate bishop thereupon wrote the letter now decreed to have been defamatory, and the parish priest published it. (The Roman Catholic Church teaches under Canon 1094 that any of its members who have some other wedding ceremony than that of their own denomination, are living in "low and abominable concubinage.") The bishop contended that in describing Mrs. Bellandi to her friends and neighbors as a "harlot," he was only doing his clerical duty.

Signor Bellandi, the plaintiff, insisted that he and his wife, Lorian, could not be held up to public contempt for doing something permitted by Italian law.

Prosecutor Tries to Throw Case

The initial phases of the suit were all discouraging so far as Signor Bellandi was concerned. Even when the case actually came to trial, the public prosecutor pleaded with the court not to find the bishop guilty. He declared that the bishop had acted in good faith.

The decision of the court is reported to have upset the Pope and driven him into mourning.

There was a different reaction in other quarters. Glenn L. Archer, executive director of POAU, hailed the decision of the Italian court as "one of the most significant victories for religious tolerance in our time." Mr. Archer's statement pointed out that the rule of the Roman Catholic

Church in question applied in the U.S. in exactly the same way. American Catholic couples who have chosen to be married by a civil authority or by a Protestant minister have been referred to by members of the hierarchy as living in "low and abominable concubinage." (The words were originally expressed by Pius IX in an encyclical.) Mr. Archer pleaded for the same freedom from clerical slander in the U.S. as is now to be guaranteed in Italy.

The executive director of POAU offered to assist any bona fide Catholic or ex-Catholic plaintiffs in this country in parallel suits for damages against American Catholic bishops or priests who utter similar libels or slanders against their moral status.

The Bishop Forgives

It was solemnly announced from Prato that the bishop had "forgiven" the Bellandis for their "sacrilegious and sinful action." There was no report that the bishop had asked the Bellandi's forgiveness for his defamatory statements.

The press has made much of the fact that Bishop Fiordelli has appealed his case and in so doing has "recognized" the right of the court to try him. The bishop himself has made no statement to this effect, however.

The Vatican seemed initially intent on forcing the issue with the Italian government. Excommunication of the Bellandis, the judges, the prosecutor and everyone connected with the court, was promptly announced. Much was made of the pope's "grief" in the church press. An emotional reaction was apparently in the making.

Certain developments have influenced the Vatican to temper its wrath, however. One was the stand of the independent press of Italy which expressed approval of the verdict as one likely to confine the church's activity hereafter to its proper orbit. Another was the attitude of the ruling Christian Democratic party which is itself Roman Catholic. Premier Adone Zoli stoutly upheld the conviction. A spokesman said the Premier was "sorry as a Catholic" about the conviction, but "he thinks that justice must take its course."

The church began to hedge on its hostile reaction, fearing an aggressive anti-clerical campaign. The comment of the church press, at first bitter and fierce, was toned down. *L'Osservatore Romano* called editorially for "prudence."

Ban on Graham Ignored by Latins

Although the *Catholic Almanac* claims that Guatemala is more than 91 per cent Roman Catholic, the efforts of the Catholic hierarchy to boycott the recent mass meeting of Billy Graham in that country completely failed. About 25,000 people turned out to hear the American evangelist at Guatemala Stadium, in spite of the publication of Catholic advertisements in the newspapers warning the faithful not to offer any kind of "collaboration." Guatemala, with only 3 million people, has an archbishop, a papal nuncio and an ambassador at the Vatican.

Another tiny Central American republic, Costa Rica, with less than one million people, an archbishop and a papal nuncio, defied the pronouncement of its archbishop that listening to Billy Graham would be a sin, and gave him a giant reception. The attendance at Graham mass meetings in Latin America is significant chiefly because it indicates the increasing opposition of the people to clerical censorship. Although all Roman Catholics are forbidden by canon law to attend Protestant services, this prohibition is being defied in many Latin countries.

A survey by Father Albert J. Nevins, summarized in the *Catholic Almanac*, 1957, indicates that although the church claims 93 per cent of the population in Latin American countries, "only about 10 per cent actually practice the faith." The survey indicates that the church is "dying" in Bolivia, Ecuador, Paraguay and the rural sections of Brazil, Panama, Honduras, Haiti and the Dominican Republic. According to Methodist Bishop Barbieri more than 100 million Latin Americans are outside any Christian church. In many of the countries where the church is "dying" or "standing still," the Vatican has achieved partial union of church and state, with contributions of public revenue to its schools and clergy. Far from vitalizing the church in these areas the subsidies seem to be hastening its decadence.

A prominent Protestant layman recently made this observation: "In view of the fact that the U.S. has spent more than \$6 billion in Italy to defend freedom there, it would be interesting to know whether Billy Graham would be free to preach in Rome."

POAU Announces Tremendous Reward



Tax-Proof Hundred-Proof

For weeks rumors have been flying about Washington that the famous Christian Brothers of Napa, California, advertised in current magazines as the chief producers of high-grade brandy and wine in the United States, have sold out their business under fire. POAU has been fighting the claims of the Christian Brothers (De La Salle Institute) for complete exemption of taxes on unrelated business income for more than two years. The Treasury Department has not yet announced a definite decision, but it is known that Catholic authorities

have been greatly embarrassed by the bad publicity.

In 1957 this organization, in an action in California federal courts, claimed exemption on unrelated business taxes on the ground that it is an integral part of the Roman Catholic Church. In a sworn statement (Civil Action 7499, United States District Court for the Northern District of California, Northern Division, January 17, 1957) the Christian Brothers declared; "under ecclesiastical law, all property of plaintiff is church property, subject to the control of the

Pope." Under this alleged church status the organization claims exemption on corporate profits, but pays ordinary excise taxes.

Latest Washington rumors indicate that the famous Schenley liquor interests may acquire the vineyards and the name of the Christian Brothers. We have no proof that this rumor is true. Reports indicate that whoever may be the purchaser may retain the right to use the name "Christian Brothers."

After due consultation with financial advisors, POAU has decided to offer an attractive reward to any member who can supply definite proof that the Catholic Church has sold out its leading distillery, officially owned as the De La Salle Institute of California, under distillery license 399. To such a fortunate member we will send absolutely free and postpaid the two famous bottles pictured here, used by our organization's special counsel in public exhibits. One is labeled "Christian Brothers Brandy" and the other is labeled "Christian Brothers Wine." We guarantee that the labels are genuine and that the bottles will be filled with 100-proof Washington ozone.



Public Schools Defended By Dr. Rolfe Hunt

Dr. Rolfe Lanier Hunt, director of the Department of Religion and Public Education of the National Council of Churches, in a speech to his colleagues in Omaha, Nebr. on Feb. 12, pleaded for unshaken fidelity to the public schools. Forthrightly opposing those who desire the proliferation of the schools into sectarian enclaves, Dr. Hunt declared that denominational schools will do more damage to the unity of the American people than racial segregation has ever done. He warned particularly against any attempt to segregate children by denominational affiliation in order to avoid court decisions calling for racially integrated schools.

Tax support for sectarian schools drew heavy fire from Dr. Hunt. If such support were given he said that church schools would "multiply across the nation." In a town of 2,000, he said, there might be a dozen competing school systems, while in large cities like New York or Los Angeles there might well be more than 200.

Dr. Hunt went on to deny the oft-repeated contention that parochial schools are "better" than public schools.

CHURCH AND STATE

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